IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

PUBLIC INTEREST LITIGATION NO.17 OF 2007

Vijay Pandurang Patil .. Petitioner

Vs.

Union of India and Ors. .. Respondents

Mr.V.P.Patil, petitioner in person

Mr.G.Hariharan a/w Mr.N.R.Prajapati i/b Dr.T.C.Kaushik for respondent no.1

Mr.S.R.Nargolkar, A.P.P. for the respondent no.2 (a), (b) and (c)

Mrs.Deepa Chavan a/w Mrs.Pratibha Mehta i/b M/s.Little and Co. for respondent no.4

Mr.H.Toor a/w Mr.J.S.Saluja i/b M/s.M.V.Kini and Co. for respondent no.5

CORAM : J.N.PATEL, ACTING C.J. &
V.C.DAGA, J.

DATED : 15TH MARCH, 2007

P.C.:

1. The petitioner has moved this court in public interest by invoking its Writ Jurisdiction and has sought issuance of a Writ of Mandamus in the form of declaration that the load-shedding in the State of Maharashtra is illegal and

unconstitutional and that respondent nos.2 to 4 are supplying electricity to other states which is illegal and discriminatory to the citizens in Maharashtra and so on and so forth as can be culled out from the prayer clauses. Matter has been examined at length by Maharashtra Electricity Regulatory Commission.

2. We find that M.E.R.C. is an expert body and has already dealt with the said matter and if the petitioner is not satisfied with the decision of M.E.R.C., it will be appropriate that he prefers an appeal against the order of M.E.R.C. before the Appeal Tribunal as provided under section 111 of the Electricity Act, 2003. As the petitioner has alternate remedy in the matter, we are not inclined to entertain this petition.

3. Petition is dismissed with liberty to the petitioner to seek alternate remedy.

ACTING CHIEF JUSTICE

SHRI V.C.DAGA, J